

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

TIMOTHY P. JONES AND LEANDRA JONES,	:	Case No. 22-20006-JCM
	:	
Debtors,	:	Chapter 13
	:	
RONDA J. WINNECOUR,	:	Related to Doc. Nos. 146, 174
CHAPTER 13 TRUSTEE,	:	
Movant,	:	
	:	
v.	:	
	:	
TIMOTHY P. JONES AND LEANDRA JONES,	:	
	:	
Respondent.	:	

ORDER

A hearing was held on October 29, 2024 on the *Chapter 13 Trustee's Objection to Proposed Cure and Request that Case be Converted to Chapter 7 or Dismissed with Prejudice* (Doc. 174) (the "Trustee's Objection") where Counsel for the Chapter 13 Trustee appeared and stated that dismissal of this case has already been avoided twice by raising the Plan payment, but at this point that approach is postponing the inevitable, and therefore, the Trustee is requesting conversion or dismissal. Debtor's Counsel stated they do not have a defense to dismissal. The Court is concerned regarding the allegations that the Debtors were not proceeding in good faith in this Chapter 13 case, and the fact that the Debtor was reemployed, but no payments were made prior to the filing of the *Trustee's Objection*. Even if the wage attachment was not remitting due to an error in its implementation, there may be bad faith where the Debtor had the funds and opted not to remit the payments to the Trustee. Therefore,

AND NOW, this 30th day of **October, 2024**, for the reasons stated above and at the October 29, 2024 hearing, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. **On or before November 18, 2024**, the Debtor shall file pay stubs for the period of April 2024 through September 2024 along with any other information in support of the Debtor's position on conversion or dismissal.
2. Once the Court receives the pay stubs, this matter will be taken under advisement as to whether the case shall be dismissed or converted to Chapter 7.
3. Either party may request an evidentiary hearing on the issue of whether this case was filed in bad faith.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'JCM', is written over a horizontal line. Below the signature, the initials 'gib' are printed.

John C. Melaragno, Judge
United States Bankruptcy Court

SIGNED
10/30/24 10:26 am
CLERK
U.S. BANKRUPTCY
COURT - WDP

In re:
Timothy P. Jones
Leandra Jones
Debtors

Case No. 22-20006-JCM
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Oct 30, 2024

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 01, 2024:

Recip ID	Recipient Name and Address
db	+ Timothy P. Jones, 11 Mount Lebanon Blvd., Pittsburgh, PA 15228-1834
jdb	#+ Leandra Jones, 11 Mount Lebanon Blvd., Pittsburgh, PA 15228-1834

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 01, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 30, 2024 at the address(es) listed below:

Name	Email Address
Brian C. Thompson	on behalf of Joint Debtor Leandra Jones bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;mgillespie@thompsonattorney.com;kfinke@thompsonattorney.com;mrowe@thompsonattorney.com;thompson.brianr111424@notify.bestcase.com
Brian C. Thompson	on behalf of Debtor Timothy P. Jones bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;mgillespie@thompsonattorney.com;kfinke@thompsonattorney.com;mrowe@thompsonattorney.com;thompson.brianr111424@notify.bestcase.com
Denise Carlon	

District/off: 0315-2

User: auto

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Date Rcvd: Oct 30, 2024

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on behalf of Creditor LOANCARE LLC dcarlon@kmlawgroup.com

Jeffrey R. Hunt

on behalf of Creditor Mt. Lebanon School District jhunt@grblaw.com

Jeffrey R. Hunt

on behalf of Creditor Municipality of Mt. Lebanon jhunt@grblaw.com

Keri P. Ebeck

on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com
btemple@bernsteinlaw.com;aepiscopo@bernsteinlaw.com;kebeck@ecf.courtdrive.com;agilbert@bernsteinlaw.com

Michelle L. McGowan

on behalf of Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing mimcgowan@raslg.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Owen W. Katz

on behalf of Trustee Ronda J. Winnecour okatz@chapter13trusteewdpa.com

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

TOTAL: 10